

4524  
1 BILL NO. G-79-07- 29

2 GENERAL ORDINANCE NO. G- 21-79

3 AN ORDINANCE amending General Ordinance  
4 No. G-97 by authorizing the vacation of  
a certain alley north of Main Street.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

7 SECTION 1. Petition for the vacation of a certain alley having  
8 been filed with the Fort Wayne City Plan Commission in accordance with  
9 Section 44, Chapter 174, of the Acts of the General Assembly of the State  
10 of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of  
11 the General Assembly of the State of Indiana (I.C. 18-7-5-46), the  
12 Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by  
13 the Common Council of the City of Fort Wayne on November 26, 1963, is  
14 amended by deleting the following alley, to wit:

15 North/South alley between Harrison and Calhoun  
16 Streets from north right-of-way of Main Street  
17 to southerly right-of-way of East/West alley  
between Main Street and the Landing.

18 SECTION 2. After passage of this Ordinance, approval by the  
19 Mayor and legal publication, a duly certified copy of this Ordinance, of  
20 the recommendation of the Fort Wayne City Plan Commission, and of the  
21 action of the Mayor, shall be transmitted by the City Clerk to the Board  
22 of Public Works of the City of Fort Wayne, Indiana.

23 SECTION 3. That this Ordinance shall be in full force and effect  
24 from and after its passage, approval by the Mayor and legal publication  
25 thereof.

26  
27   
28 Councilman

29  
30  
31 APPROVED AS TO  
32 FORM & LEGALITY

  
William N. Salin, City Attorney

Read the first time in full and on motion by Nuckols, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulators (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 7-24-79

Charles W. Waterman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage.  
PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 9-25-79

Charles W. Waterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 9-21-79 on the 25th day of September, 1979.  
ATTEST: (SEAL)

Charles W. Waterman  
CITY CLERK

Winfield C. Mayo JR  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A. M., E.S.T.  
Charles W. Waterman  
CITY CLERK

Approved and signed by me this 28th day of September, 1979 at the hour of 4:30 o'clock P. M., E.S.T.

Rahat Khattak  
MAYOR

Bill No. G-79-07-29

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending General Ordinance No. G-97 by authorizing the vacation of  
a certain alley north on Main Street

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

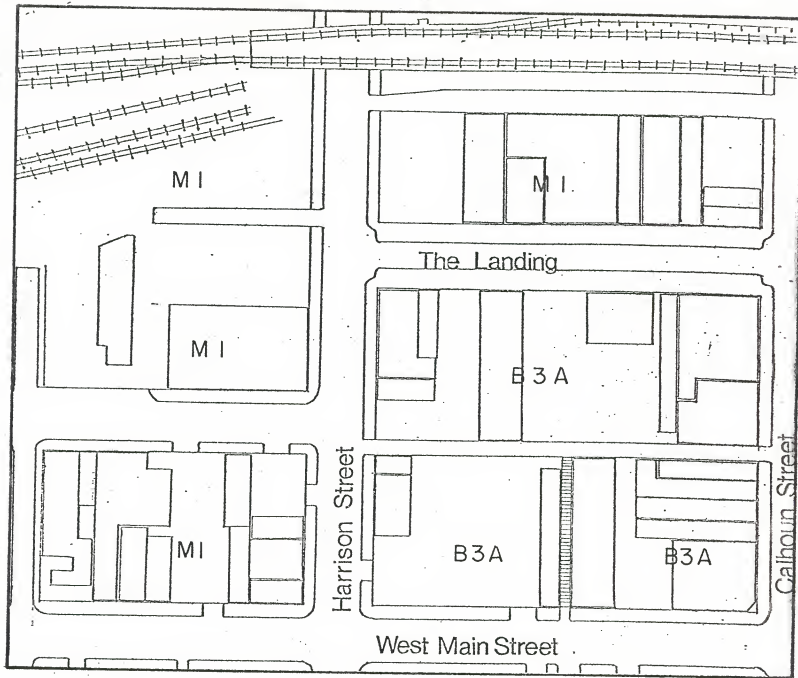
VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

*John Nuckols*  
*Samuel J. Talarico*  
*Vivian G. Schmidt*  
*J. Stier*

9-25-79 CONCURRED IN  
DATE 9-25-79 CHARLES W. WESTERMAN, CITY CLERK



Map No. M-6

6-79-07-29



PETITION

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following public alley within the City of Fort Wayne, Indiana, and hereby described as follows:

North/South alley between  
Harrison and Calhoun Streets  
from north right-of-way of  
Main Street to southerly  
right-of-way of East/West  
alley between Main Street and  
the Landing

In support thereof, your petitioner would represent as follows:

1. That they are the owners of the real estate abutting both sides of the alley.
2. That the alley lies within an Urban Renewal Project and the Urban Renewal Plan designates that the alley is to be vacated to further the Redevelopment of the area.

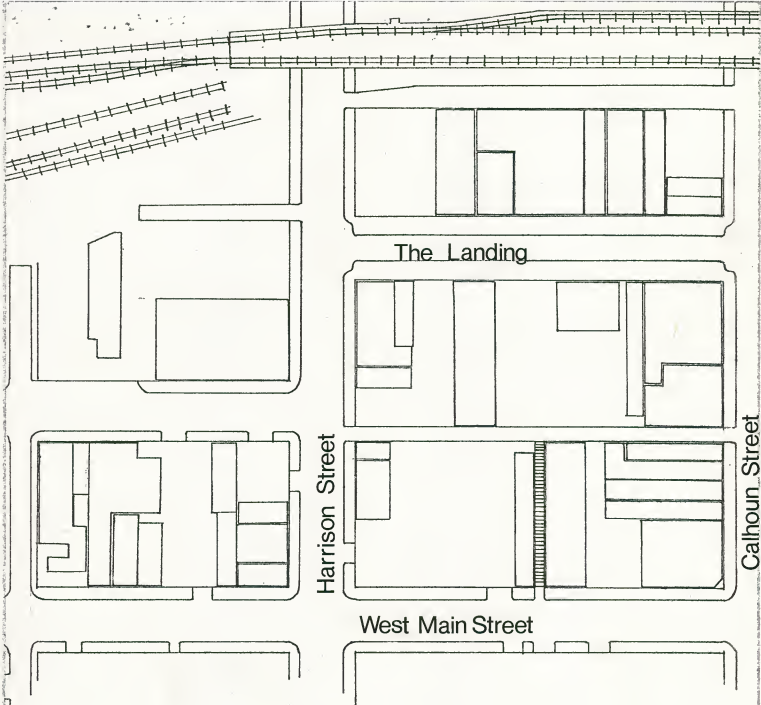
Your petitioner files this petition pursuant to the authority granted in Indiana Code, Section 18-7-5-46, in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 25th DAY OF May, 1979.

  
Robert P. Turk, Executive Director  
FORT WAYNE REDEVELOPMENT COMMISSION

Room 830 City-County Building  
Fort Wayne, Indiana 46802



FORT WAYNE  
REDEVELOPMENT  
COMMISSION



DATE PROJECT TITLE

 Alley to be vacated

# West Main Renewal Project Amended

SCALE

68-44-21 9/4/79  
R E S O L U T I O N NO. 68-44-21

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

North/South alley between Harrison and Calhoun Streets  
from north right-of-way of Main Street to southerly  
right-of-way of East/West alley between Main Street  
and The Landing

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alley has been routed thorough the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, Henry P. Wehrenberg Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held September 4, 1979 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 4<sup>th</sup> DAY OF Sept. 19 79

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg  
Henry P. Wehrenberg, Chairman

Ethel H. LaMar  
Ethel H. LaMar, Member

Max G. Scott  
Max G. Scott, Member

## RESOLUTION

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, to-wit:

North/South alley between Harrison and Calhoun  
Streets from north right-of-way of Main Street  
to southerly right-of-way of East/West alley  
between Main Street and the Landing

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assmby of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 20, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alley in Allen County, Indiana.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, Thomas G. Adams, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held August 27, 1979 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF August 19 79

FORT WAYNE CITY PLAN COMMISSION

*Thomas G. Adams*

Thomas G. Adams  
Secretary



4524

DIGEST SHEET

Admn. Appr. \_\_\_\_\_

TITLE OF ORDINANCE Alley Vacation Ordinance 12-79-07-28

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE N/S alley between Harrison and Calhoun Street from  
north r/w of Main Street to southerly r/w of E/W alley between Main Street and the  
Landing.

EFFECT OF PASSAGE Property is now public right-of-way. Property will be closed  
for public use and revert to abutting property owners.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_



OFFICE OF THE CITY CLERK

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

October 2, 1979

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 4, and October 11, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. Z-79-05-07  
Zoning Map Ordinance No. Z-23-79

Bill No. G-79-07-28  
General Ordinance No. G-20-79

Bill No. G-79-07-29  
General Ordinance No. G-21-79

Please send us 11 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWW/ne  
ENC:1

# LEGAL NOTICE

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-05-07 -- Zoning Map Ordinance No. Z-23-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-2.

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-07-28 -- General Ordinance No. G-20-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement in Crestwood Colony.

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-07-29 -- General Ordinance No. G-21-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley north of Main Street.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-05-07 -- Zoning Map Ordinance No. Z-23-79, Bill No. G-79-07-28 -- General Ordinance No. G-20-79 and Bill No. G-79-07-29 -- General Ordinance No. G-21-79 were passed by the Common Council on the 25th day of September, 1979, and said Ordinances were duly signed and approved by the Mayor on the 28th day of September, 1979, and now remains on file and on record in my office.

Copies of said Bill No. Z-79-05-07 -- Zoning Map Ordinance No. Z-23-79, Bill No. G-79-07-28 -- General Ordinance No. G-20-79 and Bill No. G-79-07-29 -- General Ordinance No. G-21-79 will be posted in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East Door of the Allen County Court House

Copies of said Bill No. Z-79-05-07 -- Zoning Map Ordinance No. Z-23-79, Bill No. G-79-07-28 -- General Ordinance No. G-20-79 and Bill No. G-79-07-29 -- General Ordinance No. G-21-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

---

Charles W. Westerman  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinance in the designated places as stated above on October 4, 1979.

---

Charles W. Westerman  
City Clerk

Fort Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

83

2

85

## COMPUTATION OF CHARGES

85 lines, 1 columns wide equals 85 equivalent lines at .259¢ cents per line \$ 22.02

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

4.50

\$ 26.52

## DATA

## Pursuant

I hereby has been

Date

## NOTICE OF CLAIM.

9 cms

2

of Ch. 89, Acts 1967.

It is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Size of type  $5\frac{1}{2}$  pointSize of quad upon which type is cast  $5\frac{1}{2}$ Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINELDAILY

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

10/4 - 10/11/79

Subscribed and sworn to before me this

11 th

day of

October

1979

My commission expires

September 28, 1983

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-05-07 - Zoning Map Ordinance No. Z-23-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-2.

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Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-21-79, being AN ORDINANCE amending General Ordinance No. G-17 by authorizing the vacation of a certain alley north of Main Street.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-05-07 - Zoning Map Ordinance No. Z-23-79, Bill No. G-79-07-28 - General Ordinance No. G-20-79 and Bill No. G-21-79 were passed by the Common Council on the 25th day of September, 1979, and said Ordinances were duly signed and approved by the Mayor on the 28th day of September, 1979, and now remains on file and on record in my office.

Copies of said Bill No. Z-79-05-07 - Zoning Map Ordinance No. Z-23-79, Bill No. G-79-07-28 - General Ordinance No. G-20-79 and Bill No. G-21-79 will be posted in the following places in Fort Wayne, Allen County, Indiana:

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(1) Reference Room in the north end of the main floor in said Downtown Public Library  
(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 22, City-County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN  
City Clerk

Fort Wayne Common Council

(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

4.50

TOTAL AMOUNT OF CLAIM.

\$ 26.52

## DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type.....5 1/2.....point

Number of insertions.....2

Size of quad upon which type is cast.....3 1/2.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Oct. 11 79

Title.....CLERK.....

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....V. E. GERKEN.....who, being duly sworn, says that she is.....CLERK.....of the

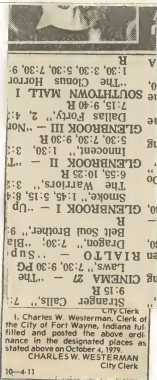
.....NEWS-SENTINEL.....  
a.....DAILY.....newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

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10/4 - 10/11/79

Subscribed and sworn to before me this 11 th day of October 19 79

My commission expires.....September 28, 1983.....



Fort Wayne Common Council

(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

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## TOTAL AMOUNT OF CLAIM.

\$ 26.52

DATE

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-05-07 - Zoning Map Ordinance No. 2-23-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-2.

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CHARLES W. WESTERMAN  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinance in the designated places as stated above on October 4, 1979.

CHARLES W. WESTERMAN  
City Clerk

9.9 cms

2

Size of type 3 1/2 point

Size of quad upon which type is cast 3 1/2

I hereby certify that the amount claimed is legally due, after allowing all just credits, and that no part of the same is in dispute.

DATE

Title ARVILLA DE WELD CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WELD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows: 10/4 - 10/11/79

Subscribed and sworn to before me this 11 th day of October 1979

My commission expires September 28, 1983

Notary Public

**Fort Wayne Common Council**

(Governmental Unit)

To: JOURNAL-GAZETTE Dt. \_\_\_\_\_**Allen**

County, Ind.

**FORT WAYNE, INDIANA**

## PUBLISHER'S CLAIM

## LINE COUNT

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Head number of lines	_____
Body number of lines	<u>83</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>85</u>

## COMPUTATION OF CHARGES

85 lines, 1 columns wide equals 85 equivalent lines at .25% \$ 22.02  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) 4.50

TOTAL AMOUNT OF CLAIM.

\$ 26.52

## DATA FOR COMPUTING COST

Width of single column 9.9 cms

Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arvilla DeWald*

Date Oct. 11 79, 19 \_\_\_\_\_Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town \_\_\_\_\_

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

10/4 - 10/11/79Subscribed and sworn to before me this 11 th

day of

October19 79

*Arvilla DeWald*  
*Harry V. O'Neil*  
Notary Public

My commission expires September 28, 1983

10-411

COUPON

K-Mart Plaza N. 4411 Coldwater  
K-Mart Plaza So 7411 S. Anthony  
George town No 6503 E. State B

ER'S INN  
or Savory Rice

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